



National  
Vaccine  
Information  
Center

**It's Your Health.  
Your Family.  
Your Choice.**



**TAKE ACTION NOW!**

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# Vaccination: Your Health, Your Family, Your Choice

The National Vaccine Information Center (NVIC) is a non-profit charity founded in 1982 to prevent vaccine injuries and deaths through public education and to defend the ethical principle of informed consent. NVIC represents citizens from every state who support the freedom for all to make informed, voluntary vaccination decisions and health care choices.

***As an independent clearinghouse for information on vaccines and diseases, NVIC does not promote the use of vaccines and does not advise against the use of vaccines. We support the availability of all health care options, including vaccines, and the right of consumers to make educated, voluntary health care choices. NVIC recommends that everyone, who is considering use of one or more vaccines, become fully informed about the risks and complications of diseases and the risks and complications of vaccines and consult one or more trusted health care professionals before making a decision.***

In this report, *Vaccination: Your Health, Your Family, Your Choice*, NVIC outlines why it is important for you to become educated about vaccination and know your legal rights under state and federal laws, including:

- ➡ The right to be fully informed about vaccine benefits and risks *before* vaccination
- ➡ The right to have the doctor or vaccine provider record every vaccine you or your child have received and descriptions of any serious health problems that occurred after vaccination in personal medical records
- ➡ The right to have the doctor or vaccine provider report all serious health problems you or your child suffered after vaccination to the federal government
- ➡ The right to access permanent records your doctor or health care provider are required to keep listing the vaccine manufacturer's name and vaccine lot number for each vaccine you or your child have received
- ➡ The right to apply for federal compensation if you or your child have been harmed by a vaccine
- ➡ The right to take legal exemptions to vaccine mandates in your state
- ➡ The right to work in your state to protect your freedom to make educated, voluntary decisions about vaccination

## Vaccines: Pharmaceutical Products With Risks

Vaccines, like prescription drugs, are pharmaceutical products that carry a risk of injury or death. Vaccine risks can be greater for some than others depending upon a person's health at the time of vaccination, personal and family medical history, whether there has been a previous vaccine reaction and other biological and environmental factors.

Vaccines stimulate the immune system to mount a temporary inflammatory response to produce antibodies. Sometimes the inflammatory response stimulated by vaccination does not resolve and leads to chronic inflammation of the brain or other parts of the body and causes serious, permanent health problems or even death.

Always read the vaccine manufacturer's product information insert for descriptions of vaccine studies, ingredients, precautions and reported vaccine reactions, injuries and deaths. You can access vaccine

manufacturer product information inserts and also view vaccine reaction reports on NVIC's website at [www.NVIC.org](http://www.NVIC.org).

As with all other prescription drugs and medical procedures, it is important to weigh the benefits and risks of vaccination for you or your child before getting one or more vaccines.

## Informed Consent to Medical Risk-Taking: A Human Right

The right to exercise voluntary, informed consent to taking a medical risk that could harm you or your child is a human right. NVIC has been working since 1982 to defend your human right to make informed, voluntary decisions about vaccination

Informed consent to medical risk taking has been the central ethical principle in the practice of modern medicine since 1946, when the Nuremberg Tribunal issued the Nuremberg Code after The Doctor's Trial. Informed consent means that you have the right to be fully informed about the benefits and risks of a medical intervention, such as use of a pharmaceutical product, and be allowed to make a voluntary decision.

NVIC opposes the use of intimidation or societal sanctions, such as denial of medical care, health insurance, employment, or the right to a public education, to force citizens to use vaccines without their voluntary, informed consent. To read a referenced commentary and view a video by NVIC co-founder and president, Barbara Loe Fisher opposing the firing of health care workers for declining to get an annual flu shot, [click here](#).

## Vaccination: The Federal Government Recommends, States Mandate

Since 1905, when the US Supreme Court affirmed the right of states to legally require citizens to be vaccinated for smallpox, states legislatures have had the power to enact vaccine laws. That is why there are different vaccine requirements in different states.

When public health doctors working for the federal government make national vaccine policy recommendations, public health doctors working for state governments make recommendations to state legislators for new vaccine mandates. In many states, legislatures have turned over the power for adding new vaccine mandates to employees in state health agencies so elected state representatives no longer have to take a vote on new vaccine mandates.

In the case of state vaccine laws, respect for the informed consent ethic includes the legal right to exercise exemptions to using one or more vaccines for medical, religious, conscientious, personal or philosophical belief reasons.

## Vaccinations Triple Since 1982

The numbers of doses of vaccines recommended by U.S. public health doctors has more than tripled in the past 30 years. In 1982, children between age two months and six years were given 23 doses of seven vaccines. [Today, children are given more than five dozen doses of 16 vaccines from day of birth to age 18.](#) Public health doctors are also strongly recommending that adults get more vaccines, including booster doses of some childhood vaccines and annual flu shots. Pregnant women are also being encouraged to get a flu shot in any trimester.

Although most vaccines recommended by public health doctors are mandated for children and adults to attend public schools, annual flu shots and other vaccinations are becoming a job requirement for health care workers. In addition, some health insurance companies and HMO's are denying coverage for members who do not agree to receive all recommended vaccines.

There are many questions about whether there is a connection between the [dramatic increase in the numbers of vaccines that children receive](#) from infancy throughout childhood and increases in chronic disease and disability among children during the past quarter century, including learning disabilities, ADD/ADHD, autism, asthma, food allergies (gluten, casein, peanut), inflammatory bowel disease (IBD), juvenile rheumatoid arthritis, diabetes and other chronic illness.

Since 1982, NVIC has advocated for large, well designed long term clinical trials and bench science research to investigate the biological and environmental high risk factors for vaccine injury and death so screening tools can be developed to identify those most vulnerable to bad health outcomes after vaccination. NVIC also supports scientific investigation into whether there are health outcome differences between highly vaccinated individuals and those who receive fewer vaccines or remain completely unvaccinated.

## New Vaccines & Mandates Coming

There are more than 140 experimental vaccines being tested in clinical trials around the world. There is little question that drug companies marketing new vaccines and public health doctors, who are committed to mass vaccination policies, will strongly recommend that states legally require children and adults to get many of these new vaccines once they are licensed.

NVIC supports the availability of new vaccines for all who choose to use them. NVIC opposes the addition of more vaccines to state vaccine laws and supports broad medical, religious and conscientious belief vaccine exemptions so that Americans are free to make informed health care choices without suffering societal sanctions.

## Vaccine Exemptions Vary from State to State

Most states require proof of vaccination for children, teenagers and adults to enroll in daycare, pre-school, elementary, high school and college. Currently, vaccine laws in all 50 states accept medical exemptions to vaccination written by an M.D. or D.O.; 48 states provide for religious or spiritual belief exemptions to vaccination; and 18 states allow vaccine exemptions for sincerely held conscientious, personal or philosophical beliefs.

**Medical Exemptions:** Proof of medical exemption must take the form of a signed statement by a Medical Doctor (M.D.) or Doctor of Osteopathy (D.O.) that the administering of one or more vaccines would be detrimental to the health of an individual. Most doctors follow

vaccination guidelines published by the Centers for Disease Control (CDC) or American Academy of Pediatrics (AAP).

Some states will accept a doctor's written medical exemption without question. Other states allow employees in the state health department or local schools to review the doctor's exemption and revoke it if they do not think the exemption is medically justified under CDC or AAP guidelines.

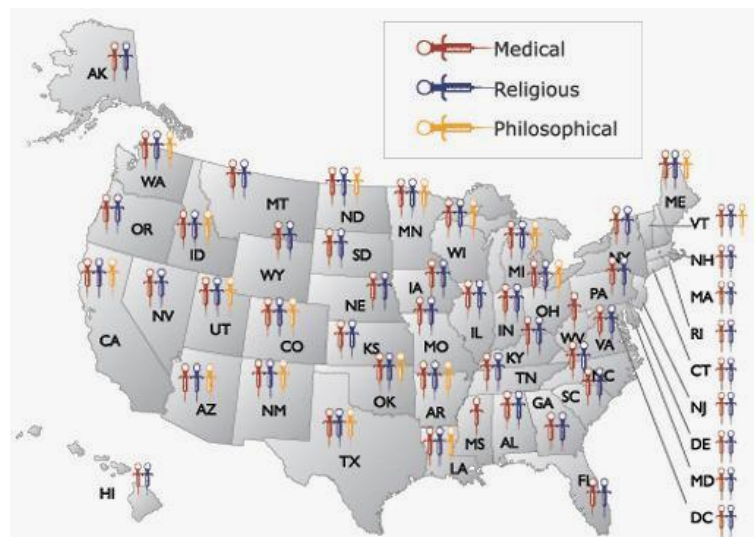
The National Vaccine Information Center supports medical exemptions in all state vaccine laws that allow doctors, physician assistants and nurse practitioners to write medical exemptions to vaccination based on a professional assessment of the benefits and risks for the individual. NVIC opposes the revocation of medical exemptions to vaccination by state public health or school officials.

**Religious Exemption:** All states, except Mississippi and West Virginia, allow a religious exemption to use of one or more mandated vaccines. The religious exemption is intended for people who hold a sincere religious belief opposing vaccination to the extent that if the state forced vaccination, it would be an infringement on their constitutional right to exercise their religious beliefs.

Some state laws define religious beliefs to include personal spiritual beliefs that are not associated with an organized religion or church. Other states have required a person, who claim a religious exemption to vaccination, to be a member of The First Church of Christ, Scientist (Christian Science) or another recognized religion or church with tenets opposing invasive medical procedures, such as vaccination. However, that kind of restrictive language has been ruled unconstitutional when it has been challenged in state Supreme Courts.

Some states require a signed affidavit from the pastor or spiritual advisor of the parent exercising religious exemption that affirms the parents' sincerely held religious or spiritual belief about vaccination, while others allow the parent to sign a notarized waiver of vaccination for their child after stating that vaccination violates religious or spiritual beliefs.

NVIC does not recommend or provide a prewritten waiver for religious exemption and does not advise filing a religious exemption to vaccination unless there are sincerely held religious or spiritual beliefs that can be articulated and defended in a court of law.



Today, state legislators are being urged by medical organizations, drug company lobbyists and public health doctors to eliminate the religious exemption to vaccination in state vaccine laws.

**Conscientious, Philosophical and Personal Belief Exemption:** The following 18 states allow exemption to vaccination for conscientious, personal or philosophical beliefs: Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Maine, Michigan, Minnesota, New Mexico, North Dakota, Ohio, Oklahoma, Texas, Utah, Vermont, Washington and Wisconsin. In many of



these states, individuals must object to all vaccines, not just a particular vaccine in order to use the conscientious, personal or philosophical belief exemption.

Today, state legislators are being urged by medical organizations, drug company lobbyists and public health doctors to eliminate exemptions for conscientious, personal or philosophical beliefs in state vaccine laws.

You can find a map of the states and learn about vaccine laws and exemptions in your state on NVIC's website at: <http://www.nvic.org/Vaccine-Lawsstate-vaccine-requirements.aspx>

## Vaccine Exemptions Under Attack

The right to make educated, independent health care choices is in jeopardy in America and there is an attack on non-medical exemptions to vaccination by special interest groups associated with pharmaceutical companies and medical organizations promoting mandatory use of many new vaccines by all Americans. With the increase in vaccine mandates, such as those for healthcare professionals,<sup>1</sup> it is critical for Americans to become educated about the loss of their informed consent rights and their freedom to make voluntary vaccination decisions.

For example, U.S. health care workers are among the most highly educated about the benefits and risks of pharmaceutical products, including vaccines. Published surveys have found that about 60 percent of all U.S. health care workers do not want to get an annual flu shot,<sup>2</sup> which matches the number of Americans, who choose not to get a flu shot, even in pandemic years.<sup>3,4</sup>

Surveys reveal that health care providers know that influenza vaccine can cause serious, unexpected side effects for some people, like paralysis<sup>5</sup> and convulsions.<sup>6</sup> Yet, in 2010 some health care workers refusing annual flu shots were fired from hospitals.

## NVIC Advocacy Portal: Take Action & Protect Your Freedom

The legal right to make voluntary vaccination choices in America will be won or lost at the state level because vaccine laws are state laws. To help you work in your state to protect your right to make voluntary vaccine decisions for yourself and your children, NVIC has created an online interactive database and communication system: the NVIC Advocacy Portal.

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<sup>1</sup> Offit, P. **Mandating Influenza Vaccine: One Hospital's Experience.** Medscape Today, posted 9/13/10

<sup>2</sup> King WD, Woolhandler SJ et al. **Influenza Vaccination and Health Care Workers in the U.S.** Journal of General Internal Medicine. 2006

<sup>3</sup> Centers for Disease Control. **State-Specific Influenza Vaccine Coverage Among Adults – US**, 2006-07 Influenza Season. MMWR. 2008.

<sup>4</sup> Centers for Disease Control. **Interim Results: State Specific Influenza A(H1N1) 2009 Monovalent Vaccine Coverage – U.S.** Oct. 2009 – Jan. 2010. MMWR. 2010

<sup>5</sup> Haber P, DeStefano F et al. **Guillain-Barre syndrome following influenza vaccination.** Journal of the American Medical Association. 2004

<sup>6</sup> Corderoy A. **Side effects worse than the disease.** The Sydney Morning Herald (Australia). Sept. 19, 2010

Go to [www.NVICadvocacy.org](http://www.NVICadvocacy.org) and register today so you can stay plugged in to NVIC's online community of vaccine safety advocates and vaccine choice activists and stand up for your freedom to make informed, voluntary vaccination decisions.

When you register on the NVIC Advocacy Portal you will:

- **Gain access** to all contact information for your elected state and federal legislators and appointed state officials
- **Stay informed** about legislation affecting your ability to make vaccine choices
- **Learn tips** for successfully communicating with the people you elect to represent you
- **Attend online training sessions** for vaccine education choice advocacy
- **Be the first to take immediate action** in your state because you are alert to when your informed consent rights are being threatened
- **Join with like-minded grassroots activists** working to protect and expand vaccine exemptions in your state
- **Receive the online NVIC Advocacy Portal Newsletter and Action Alerts**
- **Receive the online NVIC E-newsletter highlighting breaking national news** about vaccine development, policy, and law that affects you and your family

## Are Some People At Higher Risk for Suffering Vaccine Reactions?

Like with prescription drugs, adverse responses to vaccines can vary from person to person. Vaccine risks can be greater for some than others depending upon a person's health at the time of vaccination, personal and family medical history, whether there has been a previous vaccine reaction and other biological and environmental factors.

Depending upon the drug company manufacturing the vaccine, vaccines may contain different lab altered viruses and bacteria as well as ingredients in varying amounts, including:

- Mercury
- Aluminum
- Formaldehyde
- MSG
- Polysorbate 80
- 2-Phenoxyethanol
- Gluteraldehyde
- Potassium chloride
- egg, yeast, bovine and calf serum protein
- monkey and chick kidney cells
- MRC-5 cellular protein from human lung embryo
- antibiotics
- gelatin
- sucrose, dextrose and sorbitol
- lactose
- human and animal DNA

Always read the vaccine manufacturer's product information insert for descriptions of how vaccines are made, their ingredients, precautions, and reported reactions, injuries and deaths. You can view

vaccine manufacturer product information inserts and vaccine reaction reports, as well as access the Vaccine Ingredients Calculator at [www.NVIC.org](http://www.NVIC.org)

The CDC lists government recognized contraindications to vaccination and also lists vaccine ingredients at: <http://www.cdc.gov/vaccines/recs/vac-admin/downloads/contraindications-guide-508.pdf>

## Ask Questions Before You Vaccinate

The National Vaccine Information Center recommends you ask yourself the following eight questions and discuss any concerns with one or more trusted health care professionals BEFORE making a vaccination decision for yourself or your child.

### IF You Vaccinate, Ask Eight

1. Am I or my child sick right now?
2. Have I or my child had a bad reaction to a vaccination before?
3. Do I or my child have a personal or family history of vaccine reactions, neurological disorders, severe allergies or immune system problems?
4. Do I know the disease and vaccine risks for myself or my child?
5. Do I have full information about the vaccine's side effects?
6. Do I know how to identify and report a vaccine reaction?
7. Do I know I need to keep a written record, including the vaccine manufacturer's name and lot number, for all vaccinations?
8. Do I know I have the right to make an informed choice?

If you answered "yes" to questions 1, 2, and 3, or "no" to questions 4, 5, 6, 7 and 8 and do not understand the significance of your answer, you don't have all of the information needed to make a fully informed vaccine decision.

NVIC has compiled information on Diseases & Vaccines section of our [website](#) with links to other websites and resources that will help you answer these questions. [Subscribe](#) to NVIC's free e-newsletter and keep up-to-date on breaking news about vaccines and diseases, including risks associated with vaccines.

## Recognizing Vaccine Reactions

It is important to be able to identify the symptoms of a vaccine reaction. If you or your child, experiences any of the symptoms listed below in the hours, days or weeks following vaccination, a report should be filed with the federal Vaccine Adverse Events Reporting System (VAERS):

- Pronounced swelling, redness, heat or hardness at the site of the injection
- Body rash or hives
- Shock/collapse (pale skin, blue lips, unconsciousness)
- High pitched screaming or persistent crying for hours
- Extreme sleepiness or long periods of unresponsiveness
- High fever (over 103 F)
- Twitching or jerking of the body, arm, leg or head
- Staring and unresponsiveness with drooling
- Crossing of eyes
- Weakness or paralysis of any part of the body
- Loss of eye contact or awareness or social withdrawal



- Loss of ability to roll over, sit up or stand up
- Vision or hearing loss
- Restlessness, hyperactivity or inability to concentrate
- Sleep disturbances that change wake/sleep pattern
- Head banging or onset of repetitive movements (flapping, rubbing, rocking, spinning)
- Joint pain
- Muscle weakness
- Disabling fatigue
- Loss of memory
- Onset of chronic ear or respiratory infections
- Violent or persistent diarrhea or chronic constipation
- Breathing problems (asthma)
- Excessive bleeding (thrombocytopenia) or anemia
- Other dramatic change/deterioration in physical, mental or emotional health

There are other symptoms, which may indicate that you or your child suffered a vaccine reaction.

Not all symptoms that occur following vaccination are caused by the vaccine or vaccines recently given, but it is very risky to conclude that symptoms of health deterioration that occur after vaccination are simply a “coincidence.” If more vaccines are given before it has been conclusively determined that the vaccines played no role in vaccine-related health deterioration, a more serious reaction, injury or even death could occur upon revaccination.

## Reporting a Vaccine Reaction

It is important for your doctor to report ANY serious health deterioration symptoms that occur after vaccination to the federal Vaccine Adverse Event Reporting System (VAERS). Although it has been the law since 1986 for doctors and all vaccine providers to report serious health problems, including hospitalizations, injuries, deaths following vaccination to VAERS, it is estimated that less than 10 percent - perhaps less than one percent - of all vaccine-related health problems are ever reported to VAERS. It is very important that ALL serious health problems that develop after vaccination are reported.

***If your doctor or other person, who has administered a vaccine, will not report a serious health problem you or your child suffered following vaccination to VAERS, you have the right to report the suspected vaccine reaction yourself.*** Go to <http://www.nvic.org/reportreaction.aspx> to learn more about how to report a vaccine-related health problem to the federal government.

Since its' founding in 1982, the National Vaccine Information Center has operated a Vaccine Reaction Registry. We encourage you to also register a suspected vaccine reaction in [NVIC's Vaccine Reaction Registry](#). You can also publicly post a vaccine reaction, injury or death on NVIC's International Memorial for Vaccine Victims at [www.NVIC.org](http://www.NVIC.org).

## The National Childhood Vaccine Injury Act of 1986

The U.S. Government recognizes that no vaccine is 100% safe.<sup>7</sup> In the early 1980's, NVIC's co-

<sup>7</sup> Are Vaccines Safe?, Centers for Disease Control, National Vaccine Program Office url: <http://www.hhs.gov/nvpo/qa.htm#Are%20vaccines%20safe>, last updated 10/13/10.

founders worked with Congress on the [National Childhood Vaccine Injury Act of 1986 \(PL-99-660\)](#) to institute vaccine safety reforms in the U.S. mass vaccination system. This historic law acknowledged that vaccine injuries and deaths are real; that the vaccine injured and their families should be financially supported; and that vaccine safety protections were needed.

The 1986 law created a federal vaccine injury compensation program and included vaccine safety provisions that legally required doctors and other vaccine providers to:

- give parents vaccine benefit and risk information *before* children are vaccinated;
- keep written records of vaccine manufacturer names and lot numbers for each vaccination given;
- record serious health problems following vaccination, including hospitalizations, injuries and deaths, in the permanent medical record of the person vaccinated; and
- report serious health problems following vaccination to the federal [Vaccine Adverse Events Reporting System \(VAERS\)](#).

The law preserved the right for vaccine injured persons to bring a lawsuit in the court system if federal compensation is denied or is not sufficient. As of August 2010, the U.S. Court of Claims had awarded over \$2 billion dollars to more than 2,500 vaccine victims for suffering catastrophic vaccine adverse events, although two out of three applicants have been denied compensation.<sup>8</sup>

## Federal Vaccine Injury Compensation

The Vaccine Injury Compensation Program (VICP) created under the [National Childhood Vaccine Injury Act of 1986 \(PL-99-660\)](#) enacted by Congress created a federal compensation alternative to suing vaccine manufacturers and vaccine providers in civil court for vaccine injuries and deaths.

The VICP is administered jointly by the U.S. Department of Health and Human Services (HHS), the U.S. Court of Federal Claims (the Court), and the U.S. Department of Justice (DOJ). The VICP is located in the HRSA Healthcare Systems Bureau. Covered vaccines and compensable injuries are described on the "[Vaccine Injury Table](#)."

The VICP is funded by a surcharge on all doses of vaccines recommended by the CDC for "universal use" by all children. Monies from the surcharge are placed in a Trust Fund maintained by the government for use to pay vaccine victims. A petitioner may file a claim in civil court against the vaccine company and/or the vaccine administrator only after first filing a claim under the VICP and then rejecting the award or denial of an award by the Court.

It can take two to 10 years to resolve vaccine injury claims in the VICP.

## NVIC Calls VICP "A Failed Experiment in Tort Reform"

Unlike a lawsuit in civil court, the federal vaccine injury compensation system was designed by Congress to be an administrative no-fault, non-adversarial program that made awards to the vaccine injured based on the *presumption* that a vaccine or combination of vaccines caused the injury or death in the absence of a more plausible biological explanation. The emphasis in the legislation was

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<sup>8</sup> National Vaccine Injury Compensation Program Statistics Report – 8/12/10, US HHS HRSA, url: [http://www.hrsa.gov/vaccinecompensation/statistics\\_report.htm](http://www.hrsa.gov/vaccinecompensation/statistics_report.htm) - 10/13/10.

on *presumption* due to the fact that there are large gaps in scientific knowledge about the exact biological mechanisms and biological high risk factors for vaccine induced injury and death.

The 1986 law contains a Table of Compensable Events, known as the Vaccine Injury Table, which lists vaccines and symptoms of adverse events that assist the Court in determining whether an individual's injury or death can be "presumed" to have been caused by a specific vaccine for the purpose of administratively awarding compensation. Unfortunately, in the 1990's, the U.S. Department of Health and Human Services with the assistance of the U.S. Department of Justice, eliminated almost all Vaccine Injury Table adverse event symptoms and made other changes that prevented vaccine injured plaintiff's from administratively receiving uncontested awards.

The reality today is that what was supposed to be a no-fault, non-adversarial, expedited, less traumatic and fair federal compensation alternative to a lawsuit has turned into a highly adversarial, drawn out, expensive, traumatic and unfair imitation of a court trial for many vaccine victims and their attorneys. Although between 1990 and August 2010, more than \$2 billion had been awarded to more than 2500 vaccine injured persons under the VICP, two out of three plaintiffs are turned away empty handed.

To read why NVIC co-founder and president, Barbara Loe Fisher calls the Vaccine Injury Compensation Program a "failed experiment in tort reform," go to <http://www.nvic.org/injury-compensation/vaccineinjury.aspx>

## Support NVIC & Defend Your Freedom

As a charitable non-profit organization, NVIC is totally publicly supported by donations from citizens and receives no corporate, federal or state grants. NVIC is funded by individual annual donations, grants from philanthropic foundations and donations made by individuals for information that NVIC researches, produces and makes available to the public.

With your active support, the vaccine safety and informed consent movement that was launched in 1982 by the parent co-founders of the National Vaccine Information Center will continue to prevent vaccine injuries and deaths through public education and successfully defend the right of all Americans to make informed, voluntary vaccination choices in all states.



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